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NOTICE OF ALLOWANCE AND FEE(S) DUE

72386

7590

10/06/2008

SUTHERLAND II
SUTHERLAND, ASBILL & BRENNAN, LLC
999 PEACHTREE STREET
ATLANTA, GA 30309

EXAMINER

MALHOTRA, SANJEEV

ART UNIT

PAPER NUMBER

3694

DATE MAILED: 01/06/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,247	01/14/2002	David Lee Garrison	23952-0045	1844
TITLE OF INVENTION: REMITTANCE PAYMENT PROCESSING WITH ACCOUNT SCHEMING AND/OR VALIDATION				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	01/06/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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P.O. Box 1450
Alexandria, Virginia 22313-1450
 or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

72386 7590 10/06/2008

SUTHERLAND II
SUTHERLAND, ASBILL, & BRENNAN, LLC
999 PEACHTREE STREET
ATLANTA, GA 30309

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/043,247 01/14/2002 David Lee Garrison 23952-0045 1844

TITLE OF INVENTION: REMITTANCE PAYMENT PROCESSING WITH ACCOUNT SCHEMING AND/OR VALIDATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	01/06/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
MALHOTRA, SANJEEV	3694	705-040000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/043,247	01/14/2002	David Lee Garrison	23952-0045	1844
72386	7590	10/06/2008	EXAMINER	
SUTHERLAND II SUTHERLAND, ASBILL & BRENNAN, LLC 999 PEACHTREE STREET ATLANTA, GA 30309			MALHOTRA, SANJEEV	
			ART UNIT	PAPER NUMBER
			3694	

DATE MAILED: 10/06/2008

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1239 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1239 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/043,247

Examiner

SANJEEV MALHOTRA

Applicant(s)

GARRISON ET AL.

Art Unit

3694

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06-13-2008.
2. ☒ The allowed claim(s) is/are 46-51, 54-66 and 69-80.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20080804/8-2008.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 12-11-2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Mary Cheung/
Primary Examiner, Art Unit 3694

DETAILED ACTION

1. This Office Action is in response to the Request for Continued Examination (RCE) and replies filed on June 13, 2008 for the original application titled: "Remittance Payment Processing with Account Scheming and/or Account Validation". Receipt is acknowledged of a Request for Continued Examination (RCE) under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on June 13, 2008.

Examiner's Amendment/ Comment

2. An examiner's amendment/comment to the record appears below. Should the changes and/or additions be unacceptable to the applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claims 1-45, 52-53, and 67-68 are hereby cancelled that were 'canceled' by the Applicant per their response 'Amendments to the Claims' dated June 13th, 2008. Also, the Applicant is advised to submit formal drawings for Exhibits 1, 2 and 4. The revised drawings need to be submitted as "Replacement Sheets" per MPEP. In addition to "Replacement Sheet(s)" containing the corrected drawing figure(s), the applicant is required to submit a marked-up copy of each "Replacement Sheet" including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s)

to the drawings. See 37 CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the **Abandonment** of the application.

The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because of the deficiencies noted above. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Allowable Subject Matter

3. Claims 46-51, 54-66 and 69-80 are pending and allowed. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is Patent No. US 6,311,170 issued to Embrey, Mark C. filed on December 3, 1997 that is claiming priority from December 4, 1996 and titled: "Method and Apparatus for Making Payments and Delivering Payment Information" (hereinafter "Embrey"). Another prior art of record based on current amendments to the claims is Patent No.

Art Unit: 3694

US 6,327,577 issued to Garrison et al. filed on December 19, 1997 and titled: "Electronic Bill Payment System with Account-Number Scheming" (hereinafter "Garrison") and the NPL article attached herewith (dated December 10, 1997) and cited in PTO Form 892.

Embrey teaches about an improved method of making payments from a plurality of payor entities to a plurality of payee entities through a service provider, a number of method steps which will now be described. First, authorization is obtained from a plurality of payor entities which allows a service provider to make payments, on behalf of the plurality of payor entities, to a plurality of payee entities. Then at least one trusted intermediary financial institution is selected. The trusted intermediary financial institution periodically receives payment information and payment authorization from the plurality of payor entities. The trusted intermediary financial institution automatically transfers funds, in amounts only consistent with at least the payment information, to the service provider. Preferably, the payment information includes at least (1) an identification of each of the plurality of payee entities; (2) an identification of payment amounts for each of the plurality of payee entities; (3) a payment record identifier which is uniquely associated with each payment; and (4) an authorization code which is uniquely associated with each payment record identifier. Additionally, payment instructions are periodically communicated from the plurality of payor entities to the service provider. The payment information includes at least (1) an identification of each of the plurality of payee entities, (2) an identification of payment amounts for each of the plurality of payee entities; and (3) a payment record identifier which is uniquely associated with each payment amount such as a "virtual check number". Then, the service provider is utilized to (1) consolidate payment instructions from the plurality of payor entities, (2) direct a negotiable instrument, in an amount equal to the consolidated payments, to each of the plurality of payee entities, (3) generate payment verification information for the negotiable instruments (such as "positive pay" data), and (4) communicate the payment verification information to the trusted intermediary financial institution. Upon receipt of the negotiable instrument from any of the plurality of payee entities, the trusted intermediary financial institution is utilized to (1) verify the request for payment, and (2) automatically transfer funds between the plurality of payor entities and the service provider in amounts necessary to allow payment (or "honoring of") the negotiable instrument.

Garrison teaches an account number for a payor, typically a consumer, is received from a source and transformed into an altered account number according to previously stored alteration rules corresponding to a payee account number format. Preferably, the altered account number is then transmitted to the payee, typically a merchant, in association with a payment remitted to the payee. The alteration rules can specify a wide variety of formats and may be realized as templates specifying fields or values, or as instructions for combining information from different fields. Typically, an altered account number is formed by combining the account number with some part of

payment information or other information related to the payee. For example, the altered account number may include a portion of the payor's name, a portion of the payor's address, or a portion of the payor's zip code combined with the account number. According to another aspect of the present invention, validation rules for the account number are stored, and a determination is made as to whether the received account number conforms with the validation rules. The validation rules identify the expected general format for any payor account number associated with a payee. Validation rules are preferably realized as templates specifying fields or values, but may take on other forms, and may even be algorithms. For example, a check digit algorithm could process the account number and compare the result to a check digit. Typically, the present invention is realized in a programmed general computer having a storage device and a processor. The storage device is configured to store the alteration rules and the validation rules. As will be understood by those skilled in the art, the storage device may be configured in any one of many arrangements to store and manage databases, and could include a long term bulk storage configuration, such as one or more hard disks. Preferably, the general computer is a mainframe or mini computer or high powered workstation, but could be any other processing device capable of executing programmed instructions. Additionally, the general computer could be a distributed computer system in which various aspects of the system run on different platforms. The processor of the general computer is programmed to receive payment information, including a payor account number, from a payor, preferably verify that the number conforms to the stored validation rules, alter the account number according to the stored alteration rules, and generate a signal including the altered account number to a payee in association with a payment to the payee.

4. Applicant's invention in independent Claim 46 recites "A computer-implemented method comprising:
receiving a consumer account number associated with a payor and a payee, wherein the consumer account number is not in a format acceptable to the payee;
selecting at least one alteration rule associated with the payee, wherein the at least one alteration rule is associated with at least one account number format that is acceptable to the payee;
altering the consumer account number to a modified consumer account number based on the at least one alteration rule associated with the payee, and wherein altering the consumer account number to a modified consumer account number includes inserting a character string at a particular position in the consumer account number to create the modified consumer account number; and
transmitting the modified consumer account number to the payee."

Applicant's invention in independent Claim 61 recites "A system comprising: a merchant database, wherein the merchant database includes at least one alteration rule stored in association with a payee; and a processor, in communication with the merchant database, wherein the processor executes software instructions for:

receiving a consumer account number associated with a payor and the payee, wherein the consumer account number is not in a format acceptable to the payee,
selecting the at least one alteration rule associated with the payee, wherein the at least one alteration rule is associated with at least one account number format that is acceptable to the payee,
altering the consumer account number to a modified consumer account number based on the at least one alteration rule associated with the payee, and wherein altering the consumer account number to a modified consumer account number includes inserting a character string at a particular position in the consumer account number to create the modified consumer account number, and
transmitting the modified consumer account number to the payee."

Applicant's invention in independent Claim 76 recites "A system comprising: means for receiving a consumer account number associated with a payor and a payee, wherein the consumer account number is not in a format acceptable to the payee; means for selecting at least one alteration rule associated with the payee, wherein the at least one alteration rule is associated with at least one account number format that is acceptable to the payee;
means for altering the consumer account number to a modified consumer account number based on the at least one alteration rule associated with the payee, and wherein altering the consumer account number to a modified consumer account number includes inserting a character string at a particular position in the consumer account

number to create the modified consumer account number; and
means for transmitting the modified consumer account number to the payee."

5. With respect to independent Claims 46, 61 and 76, Embrey does Not teach:

"receiving a consumer account number associated with a payor and a payee,
wherein the consumer account number is not in a format acceptable to the payee;
selecting at least one alteration rule associated with the payee, wherein the at
least one alteration rule is associated with at least one account number format that is
acceptable to the payee;"

Nor does Embrey teach a means for such a system/product using the above
process/method steps. However, Garrison teaches it as: "an account number for a
payor, typically a consumer, is received from a source and transformed into an altered
account number according to previously stored alteration rules corresponding to a
payee account number format."

Examiner acknowledges that the priority date of prior art Garrison et al. is exactly
the same date (December 19, 2007) as the claimed priority date of the instant
application via it being a continuation of Application No. 08/994047. Once the Applicant
of the instant application (no. 10/043247) files an Affidavit antedating the Garrison
priority date and the priority date of the NPL article (of December 10, 1997) attached
herewith and cited in PTO Form 892 as well as meets other requirements in this
Allowance OA, then a patent can be issued in the instant application.

Any comments considered necessary by the applicant must be submitted no later
than the payment of the issue fee and, to avoid processing delays, should preferably
accompany the issue fee. Such submissions should be clearly labeled, "Comments on
Statement of Reasons for Allowance".

Conclusion

6. Applicant's arguments of June 13, 2008 are considered moot based on the amendments to claims submitted by the Applicant and the RCE request on June 13, 2008.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjeev Malhotra whose telephone number is 571-272-7292. The examiner can normally be reached on Flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SM/

10 August 2008

/Mary Cheung/

Primary Examiner, Art Unit 3694